



IAP13 Rec'd PCT/PTO 09 FEB 2007

Atty. Docket No: 2797 (203-3175 PCT US)

PCT 3731

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Russell Heinrich EXAMINER: Michael T. Andersen  
SERIAL No.: 10/510,451 GROUP: Art Unit 3731  
FILED: October 4, 2004 DATED: February 7, 2007

**TITLE: SURGICAL STAPLER AND METHOD**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- Applicant claims small entity status of this application under 37 C.F.R. 1.27

No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDL. FEE	OR	RATE	ADDL. FEE
TOTAL	* 75	MINUS	** 74	= 1		x 25=	\$		x 50=	\$50.00
INDEP.	* 6	MINUS	*** 6	= 0		x 100=	\$	OR	x 200=	\$
						x 180=	\$		x 360=	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						TOTAL	\$ 0.00	TOTAL	\$50.00	

\* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.

If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 20, write "20" in this space.

If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 3, write "3" in this space. The

"HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest number found from the equivalent box in Column 1 of aprior amendment or the number of claims originally filed.

01 FC-1615

50.00 DA

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: February 7, 2007

Nicole Rispone  
Nicole Rispone

- Please charge Deposit Account No. 21-0550 in the amount of \$50.00. Two (2) copies of this sheet are enclosed.
- A check in the amount of \$      is enclosed.
- Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Francesco Sardone  
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<b>APPLICANT(S):</b>	Russell Heinrich	<b>EXAMINER:</b>	Michael T. Andersen
<b>SERIAL NO.:</b>	10/510,451	<b>ART UNIT:</b>	3734
<b>FILED:</b>	October 4, 2004	<b>DATED:</b>	February 7, 2007
<b>FOR:</b>	<b>SURGICAL STAPLER AND METHOD</b>		

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT "A"**

Sir/Madam:

In response to the Office Action mailed on December 11, 2006, Applicant respectfully requests that the above-identified application be amended as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 22 of this paper.

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